



## Legislation Details (With Text)

**File #:** 0326-2024      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 1/24/2024      **In control:** Public Service & Transportation Committee

**On agenda:** 2/12/2024      **Final action:** 2/14/2024

**Title:** To amend the 2023 Capital Improvement Budget; to authorize the transfer of funds and appropriation within the Streets and Highways Bond Fund; to authorize the Director of the Department of Public Service to enter into a contract modification with Burgess & Niple in connection with the Intersection Improvements - Safety Study General Engineering 2018 project; to authorize the expenditure of \$100,000.00 from the Streets and Highways Bond Fund for the project; and to declare an emergency. (\$100,000.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ord. 0326-2024 Accounting Template.pdf

Date	Ver.	Action By	Action	Result
2/14/2024	1	CITY CLERK	Attest	
2/13/2024	1	ACTING MAYOR	Signed	
2/12/2024	1	COUNCIL PRESIDENT	Signed	
2/12/2024	1	Columbus City Council	Approved	Pass

### 1. BACKGROUND

This ordinance authorizes the Director of the Department of Public Service to modify a professional services contract with Burgess & Niple, Inc. to add additional funds for design of the Intersection Improvements - Safety Study General Engineering 2018.

Ordinance 3208-2018 authorized the Director of the Department of Public Service to enter into a professional services contract with Burgess & Niple, Inc. for the Intersection Improvements - Safety Study General Engineering 2018 project. The intent of this project is to provide the City of Columbus, Department of Public Service, additional resources to develop Safety Studies, School Circulation Studies/Analysis/Plans, and perform Traffic Engineering, Roadway Engineering, Survey/Data Collection, and other safety studies work as needed.

Ordinance 0817-2021 authorized the Director of the Department of Public Service to modify the contract in the amount of \$300,000.00 to expand the capacity to perform various traffic studies in an anticipated need to support the Vision Zero action plan adopted by City Council on March 8, 2021.

This ordinance authorizes the Director of the Department of Public Service to modify the contract in the amount of \$100,000.00.

#### **1.1 Amount of additional funds to be expended: \$100,000.00**

The original contract amount: 3208-2018)	\$300,000.00	(PO152686, Ord.
The total of Modification No. 1: 0817-2021)	\$300,000.00	(PO269902, Ord.
The total of Modification No. 2:	<u>\$100,000.00</u>	(This

ordinance)

The contract amount including all modifications: \$700,000.00

**1.2 Reasons additional goods/services could not be foreseen:**

This modification is necessary to expand the Department’s capacity to perform various traffic studies. With Vision Zero being implemented, it’s anticipated that more studies will need to be performed. Existing staff levels and consultant contract levels are not enough to support the effort.

**1.3 Reason other procurement processes are not used:**

This modification will allow work to proceed on tasks already in progress. Modifying the contract will result in the best end product.

**1.4 How cost of modification was determined:**

Cost was determined based on the typical cost of safety studies and applications for federal grants previously prepared as well as an estimate of the amount of tasks outstanding.

Searches in the System for Award Management (Federal) and the Findings for Recovery list (State) produced no findings against Burgess & Niple, Inc.

**2. CONTRACT COMPLIANCE**

The contract compliance number for Burgess & Niple, Inc. is CC004425 and expires 1/10/2026.

**3. FISCAL IMPACT**

Funding in the amount of \$100,000.00 is available within the Streets and Highways Bond Fund within the Department of Public Service. An amendment to the 2023 Capital Improvements Budget and a transfer of cash and appropriation is necessary to align spending with the proper project.

**4. MINORITY AND WOMAN OWNED BUSINESS ENTERPRISE & SMALL LOCAL BUSINESS ENTERPRISE PROGRAM**

This expenditure is to modify a contract that was put in place prior to the implementation of the Minority and Woman Owned Business Enterprise & Small Local Business Enterprise program and as such is not a part of the program.

**5. EMERGENCY DESIGNATION**

Emergency action is requested to ensure funding is available to continue work on federal grant applications so the deadline for applications is met to avoid unnecessary delays for upcoming projects.

To amend the 2023 Capital Improvement Budget; to authorize the transfer of funds and appropriation within the Streets and Highways Bond Fund; to authorize the Director of the Department of Public Service to enter into a contract modification with Burgess & Niple in connection with the Intersection Improvements - Safety Study General Engineering 2018 project; to authorize the expenditure of \$100,000.00 from the Streets and Highways Bond Fund for the project; and to declare an emergency. (\$100,000.00)

**WHEREAS**, contract no. PO152686 with Burgess & Niple, Inc., in the amount of \$300,000.00, was authorized by ordinance no. 3208-2018; and

**WHEREAS**, modification no. 1, PO269902, in the amount of \$300,000.00, was authorized by ordinance no. 0817-2022; and

**WHEREAS**, it has become necessary to modify the contract in an amount up to \$100,000.00 and provide additional funds for the Intersection Improvements - Safety Study General Engineering 2018 project; and

**WHEREAS**, it is necessary to amend the 2023 Capital Improvement Budget to establish authority within the correct project; and

**WHEREAS**, it is necessary for Council to authorize a transfer of funds and appropriation within Fund 7704, the Streets and Highways Bond Fund, to establish sufficient cash to pay for the project; and

**WHEREAS**, funds will need to be expended to pay for the Intersection Improvements - Safety Study General Engineering 2018 project; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to enter into a contract modification with Burgess & Niple, Inc. to meet deadlines for federal grant applications, to preserve the safety of the traveling public thereby preserving the public health, peace, property, and safety; **NOW, THEREFORE**,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That the 2023 Capital Improvements Budget authorized by Ordinance 1711-2023 be amended to establish sufficient authority for this project:

**Fund / Project / Project Name / C.I.B. / Change / C.I.B. as Amended**

7704 / P440104-100040 / Miscellaneous Developments- Vision Zero Action Plan Implementation (Voted Carryover) / \$450,000.00 / (\$100,000.00) / \$350,000.00

7704 / P538002-100000 / Intersection Improvements - Safety Study General Engineering 2018 (Voted Carryover) / \$0.00 / \$100,000.00 / \$100,000.00

**SECTION 2.** That the transfer of \$100,000.00, or so much thereof as may be needed, is hereby authorized within Fund 7704 (Streets and Highways Bond Fund), from Dept-Div 5913 (Traffic Management), Project P440104-100040 (Miscellaneous Developments- Vision Zero Action Plan Implementation), Object Class 06 (Capital Outlay) to Dept-Div 5913 (Traffic Management), Project P538002-100000 (Intersection Improvements - Safety Study General Engineering 2018), Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

**SECTION 3.** That the Director of the Department of Public Service be, and hereby is, authorized to enter into a contract modification with Burgess & Niple, Inc., 5085 Reed Road, Columbus, Ohio 43220, for the Intersection Improvements - Safety Study General Engineering 2018 project in the amount of \$100,000.00, or so much thereof as may be needed, in accordance with the plans and specifications on file in the Department of Public Service, which are hereby approved.

**SECTION 4.** That the expenditure of \$100,000.00, or so much thereof as may be needed, is hereby authorized in Fund 7704 (Streets and Highways Bond Fund), Dept-Div 5913 (Traffic Management), Project P538002-100000 (Intersection Improvements - Safety Study General Engineering 2018), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

**SECTION 5.** That funds are hereby deemed appropriated and expenditures and transfers authorized to carry out the purposes of this ordinance and the City Auditor shall establish such accounting codes as necessary.

**SECTION 6.** That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

**SECTION 7.** That the City Auditor is hereby authorized to transfer the unencumbered balance in a project account to the unallocated balance account within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies are no longer required for said project.

**SECTION 8.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.